



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1360/P6
MDK&JK:nwn&bjk:jf

RWR

DOA:.....Hynek, BB0342 - Appropriating assessments for shared revenue purposes

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

in 1-30-09

Don't gen.

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

SHARED REVENUE

Under current law, county and municipal aid payments (shared revenue) are made from the general fund. Under the bill, a portion of the shared revenue payments are made from the state universal service fund and wireless 911 fund. The bill also requires that the amount that each county and municipality spends each year for emergency services is no less than the amount spent for such services in 2009. If a county or municipality spends less than that amount in any year without DOR's approval, DOR may reduce that portion of the county's or municipality's shared revenue payment that is paid from the universal service fund, in an amount determined by DOR.

STATE GOVERNMENT

PUBLIC UTILITY REGULATION

The bill requires a portion of county and municipal aid payments (shared revenue) to be paid from the universal service fund (USF), which, under current law, consists of contributions that the PSC requires telecommunications providers to make and is used to promote universal access to telecommunications services and other purposes. The PSC must include the amount of such payments in determining how much a telecommunications provider must contribute to the USF. If a

telecommunications provider establishes a surcharge or rate adjustment on bills to collect the portion of a telecommunications provider's contribution to the USF that is necessary for the shared revenue payments, the telecommunications provider must identify the surcharge or rate adjustment as "911 and emergency response surcharge" or "911 and emergency response adjustment."

Under current law, the PSC makes grants from the wireless 911 fund to wireless companies and local governments to reimburse certain costs incurred in complying with federal requirements regarding wireless 911 emergency telephone service. Current law requires that costs must be incurred during a specified reimbursement period in order to be eligible for reimbursement. The PSC has promulgated a rule that requires the PSC, at the conclusion of the reimbursement period, to make distributions to wireless companies of any funds remaining in the wireless 911 fund that are not otherwise disbursed or obligated. The rule requires a wireless company to credit customer accounts in amounts that correspond to the distribution made to the wireless company. This bill prohibits the PSC from making any distribution from the 911 wireless fund that is not a grant for reimbursement of the costs described above. As a result, the PSC may not make the distributions under the rule.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.835 (1) (db) of the statutes is amended to read:

2 20.835 (1) (db) *County and municipal aid account.* Beginning in 2004, a A sum
3 sufficient to make payments to counties, towns, villages, and cities under s. 79.035,
4 less the amount paid from the appropriations under pars. (q) and (r). (m) ↑

5 **SECTION 2.** 20.835 (1) (q) of the statutes is created to read:

6 20.835 (1) (q) *County and municipal aid account; wireless 911 fund.* From the
7 wireless 911 fund, the amounts in the schedule to make payments under s. 79.035.
8 No moneys may be encumbered or expended from this appropriation after December
9 31, 2012.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 3.** 20.835 (1) (r) of the statutes is created to read:

1 20.835 (1) (r) *County and municipal aid account; universal service fund.* From
2 the universal service fund, the amounts in the schedule to make payments to
3 counties, towns, villages, and cities under s. 79.035.

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 4.** 79.035 (1) of the statutes is amended to read:

5 79.035 (1) In 2004 and subsequent years, each county and municipality shall
6 receive a payment from the county and municipal aid account and, beginning with
7 payments in November 2009, from the appropriations under s. 20.835 (1) (q) and (r)
8 in an amount determined under sub. (2).

9 **SECTION 5.** 79.07 of the statutes is created to read:

10 **79.07 Expenditures for emergency services.** (1) Except as provided in
11 sub. (3), beginning in 2010, the amount that each county and municipality spends
12 each year for emergency services shall be no less than the amount that the county
13 or municipality spent in 2009 for emergency services, not including one-time
14 expenses. Each county and municipality shall report the amount it spent for
15 emergency services in 2009, and the amount of its one-time expenses, to the
16 department of revenue at the time and in the manner prescribed by the department.

17 (2) The department of revenue may adjust any amount reported under sub. (1)
18 to more accurately reflect the amount that the county or municipality submitting the
19 report spent for emergency services.

20 (3) A county or municipality may decrease the amount it spends for emergency
21 services below its 2009 amount, with the department of revenue's approval, if the
22 decrease in expenditures is a result of operating more efficiently, as determined by
23 the department. For purposes of this section, any decrease approved under this

1 paragraph shall permanently decrease the base amount of expenses for emergency
2 services provided in the county or municipality requesting the decrease by the
3 amount of the decrease.

4 (4) If a county or municipality fails to comply with this section, the department
5 of revenue may reduce that portion of the county's or municipality's payment under
6 s. 79.035 that is paid from the appropriation under s. 20.835 (1) (r), in an amount
7 determined by the department.

8 **SECTION 6.** 196.218 (3) (a) 3. c. of the statutes is created to read:

9 196.218 (3) (a) 3. c. The amount appropriated under s. 20.835 (1) (r).

10 **SECTION 7.** 196.218 (3) (e) of the statutes is renumbered 196.218 (3) (e) 1. a. and
11 amended to read:

12 196.218 (3) (e) 1. a. A telecommunications provider or other person may
13 establish a surcharge on customers' bills to collect from customers contributions
14 required under this subsection to generate the amounts specified in par. (a) 3. a. and
15 b.

16 **SECTION 8.** 196.218 (3) (e) 1. b. of the statutes is created to read:

17 196.218 (3) (e) 1. b. A telecommunications provider or other person may
18 establish a surcharge on customers' bills to collect from customers contributions
19 required to generate the amounts specified in par. (a) 3. c. If a telecommunications
20 provider or other person establishes such a surcharge, the provider or other person
21 shall identify the surcharge on bills as "911 and emergency response surcharge."

22 **SECTION 9.** 196.218 (3) (e) 2. of the statutes is created to read:

23 196.218 (3) (e) 2. The commission shall provide telecommunications providers
24 and other persons the information necessary to establish the surcharges allowed
25 under subd. 1. a. and b.

SECTION 10. 196.218 (3) (f) of the statutes is amended to read:

196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5) and (6), 196.213 and 196.215, a telecommunications utility that provides local exchange service may make adjustments to local exchange service rates for the purpose of recovering its contributions to the universal service fund required under this subsection. A telecommunications utility that adjusts local exchange service rates for the purpose of recovering such contributions shall separately identify on customer bills ~~a single amount that is the total amount~~ the portion of the adjustment ~~that is necessary to generate the amounts specified in par. (a) 3. a. and b. and the portion of the adjustment that is necessary to generate the amount specified in par. (a) 3. c., and shall identify the portion necessary to generate the amount specified in par. (3) (a) 3. c. as “911 and emergency response adjustment.”~~

The public service commission shall provide telecommunications utilities the information necessary to identify such ~~amounts~~ portions on customer bills.

SECTION 11. 196.218 (5) (a) 12. of the statutes is created to read:

196.218 (5) (a) 12. For the purposes provided in the appropriations under s. 20.835 (1) (q) and (r).

SECTION 12. 256.35 (3m) (em) of the statutes is created to read:

256.35 (3m) (em) *Fund limitation.* Except for grants under par. (d) or (e), the commission may not make any distribution from the wireless 911 fund to any person.

(END)

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1360/P7ins
MDK&JK:wnw&bjk:jf

Insert 2 - 4

****NOTE: This is reconciled s.20.835 (1) (db). This SECTION has been affected by drafts with the following LRB numbers: 1360 and 1690.

-1360/P6

Insert 3 - 8

-1690/P1

****NOTE: This is reconciled s.79.035 (1). This SECTION has been affected by drafts with the following LRB numbers: 1360, 1690, and 1784.

-1360/P6

-1784/P3

-1690/P1

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1360/P7dn
MDK&JK:nwn&bjk:jf
↑

Date

This draft reconciles LRB-1360/P6[✓], LRB-1690/P1[✓] and LRB-1784/P3[✓]. All of these drafts should continue to appear in the compiled bill.[✓]

Joseph T. Kreye
Senior Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1360/P7dn
MDK&JK:nwn:md

January 30, 2009

This draft reconciles LRB-1360/P6, LRB-1690/P1 and LRB-1784/P3. All of these drafts should continue to appear in the compiled bill.

Joseph T. Kreye
Senior Legislative Attorney
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State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1360/P7
MDK&JK:nwn&bjk:md

P8
RM
AR

DOA:.....Hynek, BB0342 - Appropriating assessments for shared revenue purposes

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

in 2-2-09

1 AN ACT ^{don't gen.}...; relating to: the budget.

Analysis by the Legislative Reference Bureau

SHARED REVENUE

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STATE GOVERNMENT

PUBLIC UTILITY REGULATION

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telecommunications provider establishes a surcharge or rate adjustment on bills to collect the portion of a telecommunications provider's contribution to the USF that is necessary for the shared revenue payments, the telecommunications provider must identify the surcharge or rate adjustment as "911 and emergency response surcharge" or "911 and emergency response adjustment."

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3 sufficient to make payments to counties, towns, villages, and cities under s. 79.035,
4 less the amount paid from the appropriations under pars. (m), (q), and (r).

****NOTE: This is reconciled s.20.835 (1) (db). This SECTION has been affected by drafts with the following LRB numbers: -1360/P6 and -1690/P1.

5 **SECTION 2.** 20.835 (1) (q) of the statutes is created to read:

6 20.835 (1) (q) *County and municipal aid account; wireless 911 fund.* From the
7 wireless 911 fund, the amounts in the schedule to make payments under s. 79.035.
8 No moneys may be encumbered or expended from this appropriation after December
9 31, 2012.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 3.** 20.835 (1) (r) of the statutes is created to read:

20.835 (1) (r) *County and municipal aid account; universal service fund.* From the universal service fund, the amounts in the schedule to make payments to counties, towns, villages, and cities under s. 79.035.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 4. 79.035 (1) of the statutes is amended to read:

79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4), each county and municipality shall receive a payment from the county and municipal aid account and, beginning with payments in November 2009, from the appropriations under s. 20.835 (1) (m), (q), and (r) in an amount determined under sub. (2). ✓

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(2) The department of revenue may adjust any amount reported under sub. (1) to more accurately reflect the amount that the county or municipality submitting the report spent for emergency services.

(3) A county or municipality may decrease the amount it spends for emergency services below its 2009 amount, with the department of revenue's approval, if the

1 decrease in expenditures is a result of operating more efficiently, as determined by
2 the department. For purposes of this section, any decrease approved under this
3 paragraph shall permanently decrease the base amount of expenses for emergency
4 services provided in the county or municipality requesting the decrease by the
5 amount of the decrease.

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22 provider or other person establishes such a surcharge, the provider or other person
23 shall identify the surcharge on bills as "911 and emergency response surcharge."

24 **SECTION 9.** 196.218 (3) (e) 2. of the statutes is created to read:

196.218 (3) (e) 2. The commission shall provide telecommunications providers and other persons the information necessary to establish the surcharges allowed under subd. 1. a. and b.

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256.35 **(3m)** (em) *Fund limitation.* Except for grants under par. (d) or (e), the commission may not make any distribution from the wireless 911 fund to any person.

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

1360/P8
LRB-1690/P2dn

JK:mlj

own

January 30, 2009

Date

P7✓ P2✓ P4✓
This draft reconciles LRB-1360/P6, LRB-1690/P1, and LRB-1784/P3. All of these drafts should continue to appear in the compiled bill.

except LRB-1690

Joseph T. Kreye
Senior Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1360/P8dn
JK:nwn:ph

February 2, 2009

This draft reconciles LRB-1360/P7, LRB-1690/P2, and LRB-1784/P4. All of these drafts, except LRB-1690, should continue to appear in the compiled bill.

Joseph T. Kreye
Senior Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.wisconsin.gov

Kunkel, Mark

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Wednesday, February 04, 2009 4:43 PM
To: Kunkel, Mark
Subject: FW: LRB Draft: 09-1360/P7 Appropriating assessments for shared revenue purposes
Attachments: 09-1360/P7.pdf; 09-1360/P7dn.pdf

Hi Mark – a minor change to this draft. We would like the USF fee for emergency services to be the "911 response fee" wherever it is mentioned (in the summary, in the draft, on the consumer bill...). I think it's just a matter of changing your summary and page 4, line 23 and page 5, line 15. Thanks!

Sara Hynek
Dept. of Administration
608-266-1923

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Friday, January 30, 2009 5:24 PM
To: Hynek, Sara - DOA
Cc: Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1360/P7 Appropriating assessments for shared revenue purposes

Following is the PDF version of draft 09-1360/P7.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1360/P8
MDK&JK:wnn&bjk:ph

P9

O - NOTE

pm has
been run

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FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

2 in 5-09

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(END)

free

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1360/P9dn

MDK:.....

nwn

Date

Sara Hynek:

This version is identical to the previous version, except that the surcharge and adjustment are referred to as "911 response fee."

Mark D. Kunkel
Senior Legislative Attorney
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1360/P9dn

MDK:nwn:md

February 5, 2009

Sara Hynek:

This version is identical to the previous version, except that the surcharge and adjustment are referred to as "911 response fee."

Mark D. Kunkel
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Kreye, Joseph

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Thursday, February 12, 2009 5:17 PM
To: Kreye, Joseph; Kunkel, Mark
Subject: FW: LRB Draft: 09-1360/P9 Appropriating assessments for shared revenue purposes
Attachments: 09-1360/P9.pdf, 09-1360/P9dn.pdf

Gentlemen, thanks so much for the hard work on this draft. However, we are going to pare it down significantly – the only part we are keeping is the new appropriation (1)(q) and any necessary cross reference updates. The use of USF for shared revenue is now out, and so is (1)(r), the maintenance of effort stuff, and the 911 response fee.

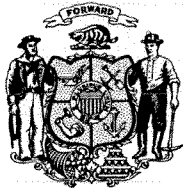
Thanks, and let me know of any questions!

Sara Hynek
Dept. of Administration
608-266-1923

+ retain 256.35 (3m) (pm)
+ treatment per Sara
MDK

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Thursday, February 05, 2009 11:22 AM
To: Hynek, Sara - DOA
Cc: Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1360/P9 Appropriating assessments for shared revenue purposes

Following is the PDF version of draft 09-1360/P9.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1360/P9
MDK&JK:nwn&bjk:md

2-13-09

stays

P10
RM has been
ann

DOA:.....Hynek, BB0342 - Appropriating assessments for shared revenue purposes

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

SA-

do not gen.

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

SHARED REVENUE

Under current law, county and municipal aid payments (shared revenue) are made from the general fund. Under the bill, a portion of the shared revenue payments are made from the state universal service fund and wireless 911 fund. The bill also requires that the amount that each county and municipality spends each year for emergency services is no less than the amount spent for such services in 2009. If a county or municipality spends less than that amount in any year without DOR's approval, DOR may reduce that portion of the county's or municipality's shared revenue payment that is paid from the universal service fund, in an amount determined by DOR.

STATE GOVERNMENT

PUBLIC UTILITY REGULATION

The bill requires a portion of county and municipal aid payments (shared revenue) to be paid from the universal service fund (USF), which, under current law, consists of contributions that the PSC requires telecommunications providers to make and is used to promote universal access to telecommunications services and other purposes. The PSC must include the amount of such payments in determining how much a telecommunications provider must contribute to the USF. If a

telecommunications provider establishes a surcharge or rate adjustment on bills to collect the portion of a telecommunications provider's contribution to the USF that is necessary for the shared revenue payments, the telecommunications provider must identify the surcharge or rate adjustment as "911 response fee."

Under current law, the PSC makes grants from the wireless 911 fund to wireless companies and local governments to reimburse certain costs incurred in complying with federal requirements regarding wireless 911 emergency telephone service. Current law requires that costs must be incurred during a specified reimbursement period in order to be eligible for reimbursement. The PSC has promulgated a rule that requires the PSC, at the conclusion of the reimbursement period, to make distributions to wireless companies of any funds remaining in the wireless 911 fund that are not otherwise disbursed or obligated. The rule requires a wireless company to credit customer accounts in amounts that correspond to the distribution made to the wireless company. This bill prohibits the PSC from making any distribution from the 911 wireless fund that is not a grant for reimbursement of the costs described above. As a result, the PSC may not make the distributions under the rule.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.835 (1) (db) of the statutes is amended to read:

20.835 (1) (db) *County and municipal aid account.* Beginning in 2004, a sum sufficient to make payments to counties, towns, villages, and cities under s. 79.035, less the amount paid from the appropriations under pars. (q) and (r).

***NOTE: This is reconciled s.20.835 (1) (db). This SECTION has been affected by drafts with the following LRB numbers: -1360/P6 and -1690/P1.

SECTION 2. 20.835 (1) (q) of the statutes is created to read:

20.835 (1) (q) *County and municipal aid account; wireless 911 fund.* From the wireless 911 fund, the amounts in the schedule to make payments under s. 79.035. No moneys may be encumbered or expended from this appropriation after December 31, 2012.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 3. 20.835 (1) (r) of the statutes is created to read:

1 20.835 (1) (r) *County and municipal aid account; universal service fund.* From
2 the universal service fund, the amounts in the schedule to make payments to
3 counties, towns, villages, and cities under s. 79.035.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 4.** 79.035 (1) of the statutes is amended to read:

5 79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4).
6 each county and municipality shall receive a payment from the county and municipal
7 aid account and, beginning with payments in November 2009, from the
8 appropriations under s. 20.835 (1) (q) and (r) in an amount determined under sub.
9 (2).

****NOTE: This is reconciled s.79.035 (1). This SECTION has been affected by drafts with the following LRB numbers: -1360/P6, -1690/P1, and -1784/P3.

10 **SECTION 5.** 79.07 of the statutes is created to read:

11 **79.07 Expenditures for emergency services.** (1) Except as provided in
12 sub. (3), beginning in 2010, the amount that each county and municipality spends
13 each year for emergency services shall be no less than the amount that the county
14 or municipality spent in 2009 for emergency services, not including one-time
15 expenses. Each county and municipality shall report the amount it spent for
16 emergency services in 2009, and the amount of its one-time expenses, to the
17 department of revenue at the time and in the manner prescribed by the department.

18 (2) The department of revenue may adjust any amount reported under sub. (1)
19 to more accurately reflect the amount that the county or municipality submitting the
20 report spent for emergency services.

21 (3) A county or municipality may decrease the amount it spends for emergency
22 services below its 2009 amount, with the department of revenue's approval, if the

1 decrease in expenditures is a result of operating more efficiently, as determined by
2 the department. For purposes of this section, any decrease approved under this
3 paragraph shall permanently decrease the base amount of expenses for emergency
4 services provided in the county or municipality requesting the decrease by the
5 amount of the decrease.

6 (4) If a county or municipality fails to comply with this section, the department
7 of revenue may reduce that portion of the county's or municipality's payment under
8 s. 79.035 that is paid from the appropriation under s. 20.835 (1) (r), in an amount
9 determined by the department.

10 SECTION 6. 196.218 (3) (a) 3. c. of the statutes is created to read:

11 196.218 (3) (a) 3. c. The amount appropriated under s. 20.835 (1) (r).

12 SECTION 7. 196.218 (3) (e) of the statutes is renumbered 196.218 (3) (e) 1. a. and
13 amended to read:

14 196.218 (3) (e) 1. a. A telecommunications provider or other person may
15 establish a surcharge on customers' bills to collect from customers contributions
16 required under this subsection to generate the amounts specified in par. (a) 3. a. and
17 b.

18 SECTION 8. 196.218 (3) (e) 1. b. of the statutes is created to read:

19 196.218 (3) (e) 1. b. A telecommunications provider or other person may
20 establish a surcharge on customers' bills to collect from customers contributions
21 required to generate the amounts specified in par. (a) 3. c. If a telecommunications
22 provider or other person establishes such a surcharge, the provider or other person
23 shall identify the surcharge on bills as "911 response fee."

24 SECTION 9. 196.218 (3) (e) 2. of the statutes is created to read:

1 196.218 (3) (e) 2. The commission shall provide telecommunications providers
2 and other persons the information necessary to establish the surcharges allowed
3 under subd. 1. a. and b.

4 **SECTION 10.** 196.218 (3) (f) of the statutes is amended to read:

5 196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5)
6 and (6), 196.213 and 196.215, a telecommunications utility that provides local
7 exchange service may make adjustments to local exchange service rates for the
8 purpose of recovering its contributions to the universal service fund required under
9 this subsection. A telecommunications utility that adjusts local exchange service
10 rates for the purpose of recovering such contributions shall separately identify on
11 customer bills ~~a single amount that is the total amount~~ the portion of the
12 ~~adjustment that is necessary to generate the amounts specified in par. (a) 3. a. and~~
13 ~~b. and the portion of the adjustment that is necessary to generate the amount~~
14 ~~specified in par. (a) 3. c., and shall identify the portion necessary to generate the~~
15 ~~amount specified in par. (3) (a) 3. c. as "911 response fee."~~ The public service
16 commission shall provide telecommunications utilities the information necessary to
17 identify such ~~amounts~~ portions on customer bills.

18 **SECTION 11.** 196.218 (5) (a) 12. of the statutes is created to read:

19 196.218 (5) (a) 12. For the purposes provided in the appropriations under s.
20 20.835 (1) (q) and (r).

21 **SECTION 12.** 256.35 (3m) (em) of the statutes is created to read:

22 256.35 (3m) (em) *Fund limitation.* Except for grants under par. (d) or (e), the
23 commission may not make any distribution from the wireless 911 fund to any person.

24 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1360/P10
MDK&JK:nwn&bjk:ph

DOA:.....Hynek, BB0342 - Appropriating assessments for shared revenue purposes

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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Under current law, the PSC makes grants from the wireless 911 fund to wireless companies and local governments to reimburse certain costs incurred in complying with federal requirements regarding wireless 911 emergency telephone service. Current law requires that costs must be incurred during a specified reimbursement period in order to be eligible for reimbursement. The PSC has promulgated a rule that requires the PSC, at the conclusion of the reimbursement period, to make distributions to wireless companies of any funds remaining in the wireless 911 fund that are not otherwise disbursed or obligated. The rule requires a wireless company to credit customer accounts in amounts that correspond to the distribution made to the wireless company. This bill prohibits the PSC from making any distribution from the 911 wireless fund that is not a grant for reimbursement of the costs described above. As a result, the PSC may not make the distributions under the rule.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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2 20.835 (1) (db) *County and municipal aid account. Beginning in 2004, a* A sum
3 sufficient to make payments to counties, towns, villages, and cities under s. 79.035,
4 less the amount paid from the appropriation under par. (q).

 ***NOTE: This is reconciled s.20.835 (1) (db). This SECTION has been affected by
 drafts with the following LRB numbers: -1360/P6 and -1690/P1.

5 **SECTION 2.** 20.835 (1) (q) of the statutes is created to read:

6 20.835 (1) (q) *County and municipal aid account; wireless 911 fund.* From the
7 wireless 911 fund, the amounts in the schedule to make payments under s. 79.035.
8 No moneys may be encumbered or expended from this appropriation after December
9 31, 2012.

 ***NOTE: This SECTION involves a change in an appropriation that must be
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12 each county and municipality shall receive a payment from the county and municipal
13 aid account and, beginning with payments in November 2009, from the
14 appropriation under s. 20.835 (1) (q) in an amount determined under sub. (2).

 ***NOTE: This is reconciled s.79.035 (1). This SECTION has been affected by drafts
 with the following LRB numbers: -1360/P6, -1690/P1, and -1784/P3.

15 **SECTION 4.** 256.35 (3m) (em) of the statutes is created to read:

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2 commission may not make any distribution from the wireless 911 fund to any person.

3 (END)